

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

ORLIN RODRIGUEZ ACOSTA,	:	
Petitioner,	:	
v.	:	No. 2:22-cv-0656
	:	
KYLE RUSSELL, <i>et al.</i> ,	:	
Respondents.	:	

ORDER

AND NOW, this 25th day of July, 2022, after de novo review of Petitioner’s petition for writ of habeas corpus, ECF No. 2; and upon consideration of the Report and Recommendation (“R&R”) of Magistrate Judge Carol Sandra Moore Wells, ECF No. 12, and in the absence of objections to the R&R¹, **IT IS HEREBY ORDERED THAT:**

1. The Report and Recommendation, ECF No. 12, is **APPROVED** and **ADOPTED**;
2. Claim one is **DISMISSED**, pursuant to *Sone v. Powell*, 428 U.S. 465 (1976);
3. Claims Two, Three, and Four are **DISMISSED**, without prejudice, for lack of exhaustion;
4. There is no basis to issue a certificate of appealability; and
5. This case is **CLOSED**.

BY THE COURT:

/s/ Joseph F. Leeson, Jr.
JOSEPH F. LEESON, JR.
United States District Judge

¹ Petitioner’s deadline to file objections to the R&R passed more than one month ago.